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*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas
•Practice limited to
Federal Agencies

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October 9, 2002

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Art Unit 1644

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 09/458,298; Filed: December 10, 1999
For: **Inducing Cellular Immune Responses to MAGE2/3
Using Peptide and Nucleic Acid Compositions**
Inventors: Fikes *et al.*
Our Ref: 2060.0130000/EKS/HCC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Copy of the Notice;
2. Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a);
3. Five hundred ten 510 pages of a paper copy of the sequence listing;
4. A computer readable disk copy of the sequence listing; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
October 9, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

for Elizabeth J. Haanes #42,613
Helene C. Carlson
Agent for Applicants
Registration No. 47,473

HCC/PAC:drb
Enclosures

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SKGF Rev. 2/15/02 dcw



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,298	12/10/1999	JOHN FIKES	18623-014600	8697

26111 7590 09/09/2002

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EXAMINER

SCHWADRON, RONALD B

ART UNIT PAPER NUMBER

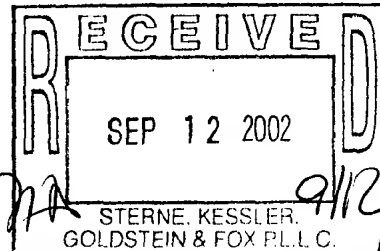
1644

DATE MAILED: 09/09/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.



NA 9/12
BKS
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AUC 9/17
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DOCKETED

Sequence listing October 9, 2002
Jat Bar March 9, 2003

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09/458,298

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application
Commissioner of Patents

The communication filed on 10/1/2001 and 12/6/2001 is not fully responsive to the communication mailed 2/2/2000 for the reason(s) set forth on the attached Notice to Comply With the Sequence Rules or CRF Diskette Problem Report.

37 CFR 1.821(a) (post July 1998 sequence rules) requires sequence listings for amino acid sequences with four or more defined amino acids. No sequence listing has been submitted for sequences recited in Table III which have four or more defined amino acids.

Since the response appears to be bona fide, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner Ron Schwadron, Ph.D., Art Unit 1644, whose telephone number is 703-308-4680.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

RONALD B. SCHWADRON
PRIMARY EXAMINER
GROUP 1800 (600)

Ron Schwadron, Ph.D.
Art Unit 1644

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Application No.: 09/458298

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: see enclosed note

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

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